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6                   **UNITED STATES DISTRICT COURT**  
7                   **WESTERN DISTRICT OF WASHINGTON**  
8                   **AT SEATTLE**

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10                   **In re JONES SODA COMPANY**  
11                   **SECURITIES LITIGATION**

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13                   This order relates to: All Actions

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15                   Case No. C07-1366RSL

16                   **ORDER DENYING**  
17                   **MOTION TO INTERVENE**

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19                   This matter comes before the Court on a motion filed by Jonathan Lee Riches to  
20                   intervene, for joinder, and to amend the complaint (Dkt. #61). Riches, who is proceeding  
21                   *pro se*, claims that he has an interest in the case and possesses newly discovered  
22                   information.

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24                   Plaintiffs oppose the motion, arguing that Riches' litigation history counsels  
25                   against granting the motion. Riches is an inmate in South Carolina serving a sentence for  
26                   wire fraud. One court noted that he has filed nearly 2,000 cases nationwide, while other  
                         courts have denied his motions to intervene. See Plaintiffs' Opposition at pp. 2-3 (citing  
                         numerous cases). Although those factors are troubling, the Court would deny the motion

1 even without those issues.

As an initial matter, Riches did not serve the motion on all parties as required by Fed. R. Civ. P. 24(c). Nor does the content of his filing comply with that Rule.

In addition, Riches has no statutory right to intervene. Nor is he so situated that  
5 disposing of this action will impair his ability to protect his interests. Fed. R. Civ. P.  
6 24(a), (b). Although Riches vaguely claims that common questions of law and fact exist,  
7 he does not identify them or identify the nature of his interest in the matter. Furthermore,  
8 Riches has not alleged that his interests are not adequately represented by the current  
9 parties, particularly in light of the fact that plaintiffs seek to represent a class.  
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11       Similarly, although Riches also seeks relief under Rules 20 and 23, neither rule  
12 provides for intervention by a non-party under these circumstances. Riches also seeks to  
13 amend the complaint, but he has no standing to do so as a non-party. Finally, to the  
14 extent that he has “newly discovered information,” he can share that with plaintiffs’  
15 counsel without intervening.

DATED this 18th day of August, 2008.

Mr S Casnik

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Robert S. Lasnik  
United States District Judge

**ORDER DENYING  
MOTION TO INTERVENE - 2**